

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(C).No. 30856 of 2007(W)

PETITIONER:

GAFOOR, AGED 32,
S/O MOHAMMED, ANCHUKANDATHIL HOUSE,
P.O. VALLIKKUNNU,
MALAPPURAM DISTRICT.

BY ADV. SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENTS:

1. CHEEKODE GRAMA PANCHAYATH,
CHEEKODE P.O., MALAPPURAM DISTRICT,
REPRESENTED BY ITS SECRETARY, PIN:676507
2. DISTRICT COLLECTOR,
MALAPPURAM, PIN:676505
3. THE TAHSILDAR,
TIRURANGADI, MALAPPURAM DISTRICT, PIN:676306
4. THE SUB INSPECTOR OF POLICE,
PARAPPANANGADI POLICE STATION,
PARAPPANANGADI, MALAPPURAM DISTRICT, PIN:676504

R2 TO R4 BY SR.GOV.T.PLEADER SRI.K.J.MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PIUS C. KURIAKOSE, J.

.....
W.P.(C)No.30856 OF 2007
.....

DATED THIS THE 22ND OCTOBER, 2007

JUDGMENT

I have today passed an interim order which, according to me, grants to the petitioner all possible reliefs. In view of the interim order, the Writ Petition will stand disposed of.

(PIUS C.KURIAKOSE, JUDGE)

tgl

PIUS C. KURIAKOSE, J.

.....
W.P.(C)No.30856 OF 2007

.....
DATED THIS THE 22ND OCTOBER, 2007

ORDER

The Government Pleader opposes the grant of interim relief on the reason that the pass which was being carried related to another vehicle.

2. Counsel for the petitioner submits that the vehicle in respect of which the pass had been issued broke down and the petitioner became constrained to use another vehicle.

3. I do not propose to go into the truth of the matter. No useful purpose will be served from anybody's point of view by allowing the vehicle to idle in the precincts of the police station. Therefore, there will be an interim order in the following terms:-

The petitioner is directed to remit cash Rs.10,000/- with the 3rd respondent. He is also directed to file an affidavit before the 3rd respondent, undertaking to produce the mini lorry having registration No.KL.11.L-9664 in good running condition, if and when directed in that regard by the 2nd respondent or any other competent authority. The 4th respondent-Sub Inspector of Police upon noticing the original of

the cash receipt and photo copy of the affidavit will forthwith release the mini lorry to the petitioner. It is however made clear that the release as directed above is provisional and subject to the final outcome of the adjudication proceedings which will be finalised by the District Collector within five months from today.

Hand over the order.

(PIUS C.KURIAKOSE, JUDGE)

tgl

WP(C)N0.30856/07